

Erika López Prater, Ph.D.

v.

*Trustees of the Hamline University of
Minnesota*

EXHIBIT 6 TO NOTICE OF REMOVAL

EDUCATION

Art history professor moves to dismiss federal lawsuit against Hamline, plans to file new suit

A federal judge dismissed the case at the art history professor's request. The professor's lawyer told Sahan Journal his client would file a new case in state court.



By **BECKY Z. DERNBACH**

FEBRUARY 9, 2023



Hamline University on the first day of the spring semester, January 23, 2022. Credit: Jaida Grey Eagle | Sahan Journal

A federal judge on Thursday dismissed the lawsuit Erika López Prater filed against Hamline University after the school criticized her for displaying two images of the Prophet Muhammad in her art history class.

David Redden, an attorney for López Prater, said in an email to Sahan Journal that his client planned to file a new suit against the university.

“Hamline hoped for a different venue so they removed the case to federal court,” he wrote in an email to Sahan Journal Thursday. “We served a new complaint today and will be filing it in Ramsey County Court, where the case belongs.”

López Prater dropped her claims of breach of contract in the new suit, which Redden provided to Sahan Journal.

“Dr. López Prater continues to pursue her claims against Hamline for religious discrimination, defamation, retaliation, and intentional infliction of emotional distress,” Redden wrote in an email to Sahan Journal.

A Hamline University spokesperson deferred questions to the school’s attorney, Mark Berhow.

“We will carefully review any new filings in this matter and respond accordingly,” Berhow wrote in an email to Sahan Journal.

The dismissal of the federal suit came at López Prater’s request, according to the one-page order signed by Judge Paul A. Magnuson. The case was dismissed without prejudice, meaning López Prater retained the right to file a similar lawsuit.

In October, López Prater, an adjunct art history professor, showed two paintings depicting the Prophet Muhammad in her world art class. After a Muslim student complained about the display of the images during the virtual class, Hamline rescinded its invitation for López Prater to teach in the spring; one administrator called her actions “Islamophobic.” While many Muslims believe that visual depictions of the Prophet Muhammad are sacrilegious, that view is not universally held within Islam.

López Prater filed her first lawsuit against Hamline in January, alleging defamation, breach of contract, and religious discrimination. The suit made **national headlines**.

The case was originally filed in state court, but on Tuesday Hamline filed to move the case to federal court. Hamline argued that because López Prater was subject to a collective bargaining agreement, federal courts had jurisdiction over the case.

Redden filed a notice of voluntary dismissal of the federal suit without prejudice on Thursday.

“Plaintiff Erika López Prater, by and through undersigned counsel, hereby gives notice of her voluntary dismissal of this case without prejudice,” reads the document, signed by Redden.

Magnuson signed his order dismissing the case later that day.

Redden said he didn’t challenge Hamline’s request to move the first suit to federal court and instead, chose to dismiss the federal suit and file a new one in state court because it was the “faster of the available options.”

Many Hamline faculty have spoken out in support of López Prater. In a symbolic move in January, Hamline professors voted overwhelmingly to **ask university President Fayneese Miller to resign.**

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